

As per the discussion with Hoffman of 5/25/96, this petition is being forwarded to the Board of Interferences. 130-122 DAC
Moot, this application is being forwarded to the Board of Interferences. SPE 3209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Jerome H. Lemelson	Art Unit	:	3202-3209
Serial No.	:	07/049,381	Examiner	:	?????
Filed	:	5/13/87			
Title	:	Machine Tool System			

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231
Via hand-delivery to:
Petitions Office
Crystal Park One, Suite 520

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GROUP 3200

PETITION FOR DECLARATION OF IMMEDIATE INTERFERENCE

Dear Sir:

Upon filing this application on May 13, 1987 (nearly 8 1/2 years ago), applicant copied certain claims from U.S. Patent B1-4,369,563, which issued May 13, 1986, to Williamson ("the Williamson Patent"), and requested that an interference be declared. In any other instance, an interference would have been declared (or determined inappropriate) within a few months. In this case, even though the examiner agreed, after prolonged and inexcusable delay, that an interference is appropriate, it still has not been declared. The examiner recently retired, but the group prevented him from declaring the interferences before leaving and has now resolved to examine all issues a second time, with a "team" of new personnel, even though there is no basis for finding that the work of the retired examiner—who has been working on these cases for more than a quarter of a century—was incomplete or inaccurate.

Applicant submits this petition under Rule of Practice 181(a)(3) to request that the Commissioner exercise his supervisory authority to have the interference declared *immediately*. Applicant is now 72 years old. The inexcusable delay of the Patent Office

in the handling of this application has severely prejudiced applicant, and further delay will add materially to the harm already incurred.

The problem was caused by the Office's previous and now-admitted negligence in the processing speed and priority given to this application, and various violations of Office rules detailed below. Applicant should not be further penalized for those lapses.

Specifically, applicant should not be singled out for special, adverse treatment through a second examination of all of the issues, in violation of the Office's rules. At the end of this petition, applicant advises the Petitions Office why he believes these rule violations have been permitted to occur in this instance and respectfully requests fair treatment.

A check in the amount of \$130.00 for a petition fee is enclosed. This petition is made alternatively under Rules of Practice 182 or 183, if such is considered necessary.

Summary of Procedural History

A detailed chronology of the most significant filings and events related to this application, including important papers in this or related case files, is attached as an Appendix to this petition. The chronology shows:

- In the over eight years since this case was filed, the examiner reviewed and resolved numerous issues, but only one Office Action was issued. The issues, including the priority date of and the specification support for the claims, were resolved mostly in the course of examining a related, companion case.

- In mid-1993, after six years of examination, the examiner repeatedly told applicant's attorneys, orally and as confirmed in writings, that he saw no obstacle to declaring an interference with the Williamson patent.

- At the same time, the examiner requested applicant to move a large number of claims, at great cost, from the companion case to this application, to consolidate all of the claims that he considered interfering. Prosecution of certain non-

interfering claims proceeded in the companion case, and issues unique to those claims were raised there in subsequent actions.

- Nevertheless, the examiner never actually set up the interference, despite repeated requests from applicant in telephone and in-person interviews. In late 1993, the Examiner suspended action on this application for six months, but after that time expired, he neither moved the case nor set another suspension period, despite numerous requests on applicant's behalf to complete the examination. Instead, the examiner simply referenced certain procedural obstacles to declaring the interference, such as time pressures or the unavailability of the case files for the Williamson patent, but he repeatedly promised to declare the interference soon.

- On June 1, 1995, the examiner suddenly retired, with little advance warning. Applicant's representative and the examiner's SPE agreed that the examiner would declare the interferences before retiring, but certain officials who planned to take over the case blocked that from happening.

- Group personnel who have looked at the situation since the original examiner's retirement have labeled the examiner's slow handling of the matter "negligent."

- Since the retirement, there was a wasted three-month period during which a new examiner began examination but then removed herself from the case.

Despite the above facts, the managers in charge of this application are now in the process of assembling a team of examiners to re-examine this case from scratch, with the goal of checking all of the conclusions reached by the retired examiner, perhaps performing new searches, and looking for other grounds of rejection. The new, second examination is expected to take a while, because the officials understandably view the case as complex. The second examination is just now gearing up again, after the "false start."

Rules Related to Order of Examination

The Patent Office's rules make it clear that this case should have extremely high priority:

Rule of Practice 102(c) permits a case to be made special if the applicant is over 65 years of age. Applicant is now 72. Applicant has never filed a formal petition to make special, however, because this case has priority under the following ordinary rules:

Rule of Practice 607(b) says, "When an applicant seeks an interference with a patent, examination of the application... shall be conducted with special dispatch within the Patent and Trademark Office."

Rule of Practice 101(a) says, "Applications shall be taken up for examination...in the order in which they have been filed except for those applications in which examination has been advanced pursuant to § 1.102." Similarly, the Manual of Patent Examining Procedure § 708 says that an "examiner will give priority to that applicant in his or her docket, whether amended or new, which has the *oldest effective U.S. filing date*." This application claims priority back to a pair of 1954 applications, and the examiner has accepted applicant's arguments for priority under Section 120 to applications filed in 1965, for some claims, and 1967, for the rest.

The Manual of Patent Examining Procedure § 707.02(a) states: "Any case that has been pending five years should be carefully studied by the supervisory primary examiner and every effort made to terminate its prosecution. In order to accomplish this result, the case is to be considered 'special' by the examiner." This case has been pending over eight years.

There can be no question from the above but that this application is entitled to high priority, and it is undoubtedly one of the very oldest cases in the Patent Office.

Rules Related to Complete Initial Examination

The Patent Office's rules make it clear that the first examiner's search and action is supposed to contain a complete review of all issues:

Rule of Practice 104(a) states, "Upon taking up an application for examination..., the examiner shall make a thorough study thereof and shall make a thorough investigation of the available prior art relating to the subject matter of the claimed invention. The examination shall be complete with respect both to compliance of the application...with the applicable statutes and rules and to the patentability of the invention as claimed, as well as with respect to matters of form, unless otherwise indicated."

Rule of Practice 105 states, "The examiner's action will be complete as to all matters," with exceptions that are not applicable here.

The Manual of Patent Examining Procedure § 707.07(g) states: "Piecemeal examination should be avoided as much as possible. The examiner ordinarily should reject each claim on all valid grounds available, avoiding, however, undue multiplication of references. Major technical rejections on grounds such as lack of proper disclosure...should be applied where appropriate even though there may be a seemingly sufficient rejection on the basis of prior art. Where a major technical rejection is proper, it should be stated with a full development of reasons rather than by a mere conclusion coupled with some stereotyped expression." Situations in which a more limited examination should be made are listed in the section, but none is applicable here.

The examiner's initial review of this case revealed only two rejections, both of which have been overcome, subject to the interference. The examiner reviewed numerous issues since the initial review, in the course of examination of the companion case, but he ultimately concluded that an interference should be declared.

Rules Related to Not Redoing the Work of a First Examiner

The Patent Office's rules make it clear that the group is supposed to give "full faith and credit" to the work of a first examiner and *not* re-examine the whole case:

The Manual of Patent Examining Procedure § 706.04 states, "Full faith and credit should be given to the search and action of a previous examiner unless there is a clear error in the previous action or knowledge of other prior art. In general, an examiner should not take an entirely new approach or attempt to reorient the point of view of a previous examiner, or make a new search in the mere hope of finding something."

The Manual of Patent Examining Procedure § 704 states, "When an examiner is assigned to act on an application which has received one or more actions by some other examiner, full faith and credit should be given to the search and action of the previous examiner unless there is a clear error in the previous action or knowledge of other prior art. In general, the second examiner should not take an entirely new approach to the case or attempt to reorient the point of view of a previous examiner, or make a new search in the mere hope of finding something."

As noted in the detailed chronology, the group now intends to appoint a team, including a special searcher, to examine all issues freshly.

Rule Related to Retiring Examiners

The Patent Office's rules make it clear that an examiner is supposed to complete old and complex cases before retirement:

The Manual of Patent Examining Procedure § 708.03 states: "Whenever an examiner tenders his or her resignation, the supervisory primary examiner should see that the remaining time as far as possible is used in winding up the old complicated cases or that with involved records and getting as many of his amended cases as possible ready for final disposition." The group director and SPEs have repeatedly

contended to the undersigned that this case is an old, complicated one with an involved record.

As noted in the detailed chronology, the SPE and retiring examiner agreed to applicant's request that he declare the interference before he retired, but the new SPE and new examiner apparently prevented that from happening, saying that they wanted to take a fresh look at the case.

Examiner Bilinsky has been examining this chain of applications continuously since at least 1968, a period of nearly three decades. There is no basis for revisiting his considered conclusion that an interference was warranted.

Summary of Office Rule Violations

It should be clear from the above that the Office has violated its rules and practices in this case, in the following ways:

- Examiner Bilinsky acted much more slowly than he should have, "negligently" as some members of the group have admitted.
- Before Examiner Bilinsky left, he should have completed placing of these cases into interference, as had been agreed. The new Examiner and her SPE should not have contravened that agreement.
- The group should complete the examination in accordance with the search and previous action of Examiner Bilinsky, without taking a "fresh look" with an eye to identifying new issues.
- If any other grounds of rejection were appropriate, they should have been identified in the first Office Action by Examiner Bilinsky. However, it should now be presumed, particularly in view of the extensive examination of other issues performed in the companion case, that the first Office Action was complete, as the rules specify.

Relief Requested

In view of the above rules and the well-accepted principle that all applicants should be treated equally, regardless of who they are, applicant respectfully submits that the Commissioner is obligated to—and in any event should—exercise his supervisory power to order that the Group handle this case in the following manner:

No “double examination” should be held. Examiner Bilinsky reached the conclusions that both of the problems identified in the first Office Action had been overcome and that the case should be placed into interference. That conclusion should not be disturbed. No new search should be conducted.

The interference should be declared immediately.

Both the Group and the Board should be advised to give this case particularly prompt action.

Applicant further requests that this petition be granted without any delay.

Comments Regarding Fair Treatment of Mr. Lemelson

Those violations of Office rules and practices may be explained, it is believed, by the Office’s new focus on preventing “industry significant” claims from issuing, particularly to individual inventors, and particularly to Mr. Lemelson. It is respectfully submitted, however, that individual inventors should not receive specially harsh treatment or “harder looks” in the PTO, whether the claims are significant or not. It is also respectfully submitted that the Office’s recent disagreements with Mr. Lemelson over patent policy matters, which have resulted in numerous comments to the press (including from the Commissioner himself) about alleged “submarining” by Mr. Lemelson, should not be permitted to cause unfair treatment of Mr. Lemelson’s applications.

Mr. Lemelson has been persistent in attempting to obtain claims to certain of his inventions. Over the years, he has filed a number of continuation applications in an

attempt to overcome Office actions that he considered erroneous. Other applicants with less persistence may have allowed such cases to become abandoned. In many such instances, however, Mr. Lemelson has ultimately been proven correct, and patents have issued, sometimes after lengthy delays and examiner resistance. It is demonstrably true that the overwhelming bulk of the delays was caused by slow action by the Office.

Despite the fact that the delay has been the fault of the Office, in the past few years, those patents have been labeled "submarine patents" by Mr. Lemelson's litigation opponents, and this Commissioner and many in this Office have taken up that cry.

It flies in the face of common sense that, in his thirties and forties, Mr. Lemelson hatched a plot to intentionally delay receiving patent protection, and the consequential royalty income, for thirty years, until he was in his seventies. Yet that is essentially what Mr. Lemelson's enemies have accused him of doing.

This case vividly illustrates that there has been no undue delays by applicant, but there has been undue delays by the Office. Such delays are inexcusable and, by the admission of group personnel, "negligent."

The Office has delayed examination of this application long enough. Now, after eight years of waiting for an interference to be declared in this case alone, which is well beyond what is ordinary, and after overcoming all obstacles placed in his path by an experienced senior examiner with a career of examining this line of cases, the Group wishes to start all over again. The new examination may "raise the bar" yet further.

Even if the new examination ultimately confirms Examiner Bilinsky's conclusions, permitting a fresh examination will still harm applicant by causing yet further delay. Interference proceedings often take unduly long as it is. The proceeding should at least be *started* with some dispatch.

Certification

I hereby certify that this paper, together with the attached Appendix entitled "Chronology" and the enclosed check for \$130.00, is being hand-delivered this 27th day of September, 1995, to the U.S. Patent and Trademark Office.

By: Terry Kannofsky
Name: Terry Kannofsky

RECEIPT IS ACKNOWLEDGED OF a document entitled "Petition for Declaration of Immediate Interference," together with the attached Appendix entitled "Chronology" and the enclosed check for \$130.00:

As noted above, the Office's rules and practices specify that second examinations of this sort should *not* be conducted. They should not be conducted here, even though the name on the application is "Lemelson." To put it bluntly, the Office does not treat other applicants in the way Mr. Lemelson has been treated here and the way the Group proposes to treat him.

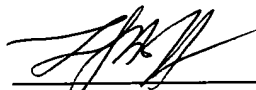
Mr. Lemelson is entitled to equal treatment under the law and a fair, lawful examination in accordance with the rules. Equal treatment can be accomplished only by an immediate declaration of the long-promised interference.

Applicant's attorney is available by telephone at any time to answer any questions regarding this matter or to expedite handling or assist the Office in any way deemed necessary.

Respectfully submitted,

JEROME H. LEMELSON
by his attorney

Dated: September 26, 1995



Louis J. Hoffman
Reg. No. 38,918

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Chronology

<u>Date</u>	<u>Event</u>
5/13/86	U.S. Patent B1-4,369,563 is issued to Williamson.
11/11/86	U.S. Patent 4,621,410 is issued to Williamson.
5/13/87	The first interference case (SN 07/049,381) is filed, with 18 system claims copied from certain new and amended claims of the Williamson Reexamination Patent, and together with a declaration and a preliminary amendment that provide a detailed showing of claim support in applicant's specification.
11/10/87	The second interference case (SN 07/126,319) is filed, with 27 method claims copied from certain claims of the Williamson Patent, and together with a declaration and a preliminary amendment that provide a detailed showing of claim support in applicant's specification.
7/17/89	After a two-year delay, Examiner Bilinsky issues the first and only Office Action in the two interference cases, rejecting the pending copied claims: (1) as anticipated by the Williamson patents, and (2) under Section 112(1) for failure to disclose the "storage means."
8/9/89	Within three weeks, applicant responds by referring the Examiner to the previous showing of specification support, explaining where the "storage means" is, noting that the Examiner has not challenged the showing of support, arguing the priority date, and demanding that interferences be declared promptly.
12/31/90	No new actions have been received in the interference cases, but applicant files two companion cases (SN 636,414 and 636,415), with certain apparatus and method claims (not copied from Williamson but rather transferred from parent cases that had been pending since 1981).
6/19/91 & 7/9/91	No new actions have been received in the interference cases, but in the companion cases, Examiner Bilinsky rejects the claims for provisional double patenting in view of the parent cases (ultimately abandoned).

8/91 No new actions have been received in the interference cases, but technical amendments are filed correcting the statement of related applications.

11/9/91 No new actions have been received in the interference cases in the two years since applicant's response, but applicant provides a 53-page amendment in one of the companion cases ('414, later copied in the other, '415 case) dealing with all issues outstanding from the 1981-filed parent, including a showing of priority to certain 1965 and 1967 parents (depending on whether the claims include a "master controller"), attaching a copy of the 1967 parent application, and including an argument showing the predating of Williamson.

12/19/91 No new actions have been received, but applicant files a request for interview, pointing out that the issues in the four cases overlap.

1/17/92 No new actions have been received, but applicant files a supplemental amendment in one of the companion cases ('414) including a copy of the earliest Williamson parent application (1966), thereby completing the showing of priority over Williamson.

3/25/92 No new actions have been received, but applicant's attorney and Examiner Bilinsky conduct an interview in which support in the 1967 parent, predating Williamson, is shown.

5/92 No new actions have been received, but applicant files arguments in the companion cases showing that the ordinarily skilled artisan in 1967 could have programmed the central controller, pursuant to the Examiner's request in the interview.

8/27/92 No new actions have been received, but applicant files additional arguments and a declaration in the companion cases on the same point.

1/28/93 No new actions have been received, but applicant files amendments in the
& 2/24/94 companion cases highlighting distinctions over the art and arguing that certain groups of claims do not interfere with Williamson.

5/11/93 No new actions have been received, but Examiner Bilinsky states in a telephone interview that he is ready to declare the interferences, in view of the showing made in the companion cases, but that most of the claims of the companion cases should be transferred to the interference cases.

6/14/93 No new actions have been received, but applicant files papers recording the discussion in the May 11 interview and paying over \$5,000.00 in fees to transfer the claims designated as interfering from the companion cases to the interference cases.

9/28/93 Four years after applicant's last response, Examiner Bilinsky sends letters in the interference cases stating: "Due to a potential interference, *ex parte* prosecution is SUSPENDED FOR A PERIOD OF UP TO SIX MONTHS FROM THE DATE OF THIS LETTER." No explanation is given for the delay, but the Examiner later explains orally that the reason is that the Williamson files have been misplaced in the Patent Office.

10/6/93 Applicant files documents in all four cases entitled, "Request for Expedition," seeking the immediate declaration of an interference without any delay. No response is ever made to these filings by the Office.

12/1/93 Two years after applicant's responses, Office Actions are issued in the companion cases, relating to a single issue that is not relevant to the interference cases.

2/15/94 In less than three months, Applicant responds to the Office Actions in the companion cases.

5/3/94 Applicant advises the Examiner in a telephone conversation that the suspension period has now expired and again requests prompt declaration of interferences.

6/9/94 Applicant's attorneys conduct an in-person interview with the Examiner, again request that the interferences be declared, and point out that, since the six-month period has expired, and now that the claims have been

separated, there is no longer any reason to delay declaring the interferences while examining the companion applications further.

7/7/94 In a telephone conversation with applicants' attorneys, Examiner Bilinsky states that he is going to declare the interferences within a week.

8/1/94 In a telephone conversation, Examiner Bilinsky states that the declaration of interferences has been delayed because the Williamson files still cannot be located; applicants' attorneys call a member of the Board of Appeals to inquire whether the examiner can use an applicant-provided copy of the Williamson case file, but the conversation is inconclusive.

8/10/94 Office Actions are issued in the companion cases, but those rejections are not made in the interference cases.

8/25/94 Applicant's attorneys conduct another in-person interview, this time with Examiner Bilinsky and his SPE, Mr. Schwartz, and again request that the interferences be declared promptly, without waiting for the examination of the non-interfering claims.

9/16/94 An interview report is filed in all cases, documenting again that the Examiner has repeatedly promised to declare interferences.

1/10/95 Applicant files Responses to the Office Actions in the companion cases.

4/25/95 Still having not received the promised declaration of interferences, despite the responses in the companion cases, applicant's undersigned attorney and Examiner Bilinsky converse by telephone, and the Examiner promises to declare the interferences within the next few weeks.

5/18/95 Applicant's undersigned attorney and Examiner Bilinsky converse again by telephone, and the Examiner advises that all enablement issues have been resolved, including those issues raised in the companion cases, which are limited to the claims of those cases.

5/23/95 While in Washington for interviews on unrelated matters, applicant's undersigned attorney calls Examiner Bilinsky to determine the progress of

the matter, and the examiner advises for the first time that he is planning to retire on June 1, 1995.

- 5/24/95 Applicant's attorney meets in person with Examiner Bilinsky and SPE Schwartz; it is agreed that Examiner Bilinsky will declare the interferences in the week before he retires, and the Examiner states in the meeting that he sees no reason why the interferences should not be declared.
- 6/1/95 On Examiner Bilinsky's last day, applicant's attorney and Examiner Bilinsky speak by telephone, and the examiner explains that he has not declared the interferences because the new examiner to which the cases will be assigned (Mrs. Cuda) and her SPE (Mr. Rosenbaum) wish to take a "fresh look" at the applications.
- 6/8/95 Applicant's attorney speaks with SPE Rosenbaum by telephone, offers assistance to him and the new examiner in understanding the progress made with Examiner Bilinsky, and requests prompt examination and a prompt interview; SPE Rosenbaum requests that the interview be deferred until Examiner Cuda can "get her feet wet" with an initial review of the case files.
- 7/18/95 In a telephone conversation with SPE Rosenbaum, applicant's attorney is advised that action in the companion cases will occur in "about a month," and that consideration of the interferences will occur thereafter.
- 8/16/95 Applicant's attorney calls Examiner Cuda to determine whether the actions are close to completed, and Mrs. Cuda advises that she is removing herself from the case. She also states that Examiner Bilinsky had been "negligent in not getting to the interferences."
- 8/17/95 In a conversation with applicant's attorney, SPE Rosenbaum states that, although "the delay is really unreasonable at this point," he no longer has anything to do with the cases. Asked to comment on Examiner Cuda's assessment, he states, "negligent is putting it mildly."

- 8/21/95 In a conversation with applicant's attorney, SPE Schwartz says that no examiner wants to take the cases because the cases are "involved," that he will nevertheless be working to reassign them promptly, and that there is no way to get Mrs. Cuda back on the cases.
- 9/11/95 In a conversation with applicant's attorney, SPE Schwartz says that there is "little progress" on getting the cases reassigned, that he hopes to have a team of examiners look at the cases, and that the end-of-fiscal-year rush to examine other cases may delay examination of these cases.
- 9/18/95 In a conversation with applicant's attorney, Group Director Croyle says that he believes that a new examiner has recently been assigned, that the examiner will be assisted by a new quality assurance examiner and a new search assistant, both of whom are expected to arrive in the group next week, that the cases are complex, that he hopes that the team will be "cranked up" by the first week of October, and that the team may be ready to discuss the case with applicant's attorneys within a few weeks thereafter. Director Croyle states that, while he understands and sympathizes with applicant's objections to "double examination," he has been instructed to examine particularly carefully patents with broad or "industry significant" claims, and that Mr. Lemelson in particular has been accused of "submarine patents." Applicant's attorney explains that the accusations of intentional delay of applications have been orchestrated by litigation opponents for their own reasons, are unwarranted in view of the facts, and are in any event inapplicable to this case, where the Office delay has been so extreme and improper.
- 9/26/95 After reviewing this chronology, Group Director Croyle says that he agrees that "the whole thing has not been handled with dispatch," that an examiner will be assigned to work full time on these applications starting next week, and that the cases have been granted special status, but that he will not restrict the scope of the examiner's examination at this time.

EXHIBIT A

1. Lemelson's Preliminary Motion No. 3
(Earlier Section 120 Date for Non-Central Controller Claims)
2. Lemelson's Preliminary Motion No. 5
(Earlier Section 120 Date for Central Controller Claims)
3. Lemelson Exhibit 1 (chart re: relationship of applications)
4. Lemelson Exhibit 2 (Declaration of Dr. Brian Williamson re: non-central control support)
5. Lemelson Exhibit 3 (Declaration of Louis J. Hoffman)
6. Lemelson Exhibit 4 (Support Charts for Counts II-V)
7. Lemelson Exhibit 5 (Declaration of Dr. Brian Williamson re: central control)
8. Lemelson Exhibit 7 (Support Charts for Central Control)
9. Lemelson Exhibit 8 (Curricula Vitae of Dr. Brian Williamson)
10. Lemelson v. TRW, 760 F.2d 1254 (Fed. Cir. 1985)
11. Paper No. 3, in application No. 449,874 (Restriction Requirement)
12. Petition to Amend Abandoned Application (091,908 parent)
with attachments and accompanying Amendment
13. Williamson Preliminary Motion No. 3 (Laches)
14. Williamson Preliminary Motion No. 7 (Williamson "System 24"
publications)
15. Williamson Preliminary Motion No. 9 (Fair v. Williamson Interference)
16. Williamson Preliminary Motion No. 11 (Continuity of Disclosure re: parents
to 1971 Case)
17. Williamson Preliminary Motion No. 12 (Attack on Amendment to 1971 Case)

18. Williamson Preliminary Motion No. 13 (Attack on Oath in 1971 Case)
19. Williamson Preliminary Motion No. 14 (Attack on Amendment to 1971 Case)
20. Williamson Preliminary Motion No. 21 (Laches re: non-interfering claims in interference application)
21. Williamson Preliminary Motion No. 25 (Williamson "System 24" publications re: non-interfering claims in interference application)
22. Williamson Preliminary Motion No. 4 (Wagenseil/Hughes)
23. Williamson Preliminary Motion No. 22 (Wagenseil/Hughes re: non-interfering claims in interference application)
24. Williamson Exhibit 73 (Affidavit of Paul R. Haas)
25. Williamson Exhibit 74 (Automatex-A New Concept of Machining Castings)
26. Williamson Exhibit 75 (Deposition of William Wagenseil)
27. Williamson Exhibit 76 (Automatex Market Analysis)
28. Williamson Exhibit 78 (Hughes proposal to Dupont)
29. Declaration of Earnest F. Oberheim
30. Declaration of Tom T. Kumagai
31. 28 pages of Time-Line Table of Exhibits and attached Discussion of Exhibits
32. Williamson Preliminary Motion No. 5 with Appendices (IBM re: non-interfering claims in interference application)
33. Williamson Preliminary Motion No. 23 (IBM)
34. Williamson Exhibit 10 (Affidavit of David R. McRitchie)
35. Williamson Exhibit 93 (Panel Manufacturing Specifications)
36. Williamson Exhibit 94 (SLT Dispatch Station Specifications)
37. Williamson Exhibit 95 (Basic Panel Manufacturing System Manual)

38. Williamson Exhibit 96 (Untitled document "Revision #1")
39. Williamson Exhibit 97 ("3rd floor" of Endicott plant)
40. Williamson Exhibit 98 (The Conveyor-Feeder Interface SLT Manufacturing System)
41. Williamson Exhibit 99 (Panel Identifier estimate)
42. Williamson Exhibit 100 (Process, Equipment Proposal, Panel Read Head)
43. Williamson Exhibit 101 (Hanover Tool letter to IBM)
44. Williamson Exhibit 102 (Mathews Conveyor Co. letter to IBM)
45. Williamson Exhibit 109 (Affidavit of Joseph Fehrenbach)
46. Williamson Preliminary Motion No. 6 with Appendices (Pre-1954 Materials)
47. Williamson Preliminary Motion No. 24 (Pre-1954 Materials re: non-interfering claims in interference application)
48. Williamson Preliminary Motion No. 8 with Appendices (Lost Counts)
49. Williamson Preliminary Motion No. 26 (Lost Counts re: non-interfering claims in interference application)
50. Williamson Exhibit 58 (Board of Appeals Decision in Allen v. Lemelson)
51. Williamson Exhibit 59 (Counts of Allen v. Lemelson)
52. Williamson Preliminary Motion No. 1 with Appendices (Double Patenting)
53. Williamson Preliminary Motion No. 19 (Double Patenting re: non-interfering claims in interference application)
54. Williamson Preliminary Motion No. 18
55. Lemelson's R635#2 [Re. Cancellation of Claims 38-114]
56. Williamson's Opposition to Lemelson's R635#2
57. Reply in Support of Lemelson's R635#2
58. Judges Decision on Motions & Scheduling Order

59. Opposition to Williamson's R635#8
[Suspension of Prosecution of Copending Method Application]
60. Opposition to Williamson's R635#9
[Interference with Copending System Applications]
61. Opposition to PDG's Petition
Regarding Mr. Lemelson's Copending Method Application
62. Opposition to PDG's Petition
Regarding Mr. Lemelson's Copending Apparatus Applications
63. Williamson Preliminary Motion No. 2
64. Williamson Preliminary Motion No. 10
65. Williamson Preliminary Motion No. 15
66. Williamson Preliminary Motion No. 16 [with attachments]
67. Williamson Preliminary Motion No. 17
68. Williamson Preliminary Motion No. 20
69. Williamson Motion Under 37 C.F.R. 1.642, 1.616, and 1.635
(Regarding Claims 38-114)
70. Reply in Support of Williamson Motion Under 37 C.F.R. 1.635 (No. 8)
71. Reply in Support of Williamson Motion Under 37 C.F.R. 1.635 (No. 9)
72. Supplement to Williamson Preliminary Motion No. 2
(Inequitable Conduct)
73. Supplement to Williamson Preliminary Motion No. 4
(Wagenseil/Hughes Prior Art)
74. Supplement to Williamson Preliminary Motion No. 20
(Inequitable Conduct: non-interfering claims)
75. Supplement to Williamson Preliminary Motion No. 21
(Laches re: non-interfering claims)
76. Supplement to Williamson Preliminary Motion No. 22
(Wagenseil/Hughes: non-interfering claims)

77. Supplement to Williamson Preliminary Motion No. 27
(To Add Additional Lemelson Applications to the interference)
78. Williamson Preliminary Motion No. 28
(Continuity of disclosure and CIP Estoppel)
79. 5 volumes of trial transcripts in Molins and Smith v. Textron Inc., et al.
80. Molins v. Textron (Delaware District Court opinion)
81. Purported translation of a foreign office action in a foreign counterpart to one of Williamson's patents

JAN 1958
(444,520)
APR 10 (577,415)

JAN 1957

(449,874)

(577,415)

JAN 1960

(449,874)

(557,445)

JAN 1961

(452,702)

DEC 17

JAN 1964

(452,702)

JAN 1965

APR 8 (465,812)

(577,415)

(465,812)

JAN 1968

MAR 12 712,443
117,065
(3,550,207)

JAN 1969

(629,758)

(858,560)

APR 29

(858,560)

JAN 1972

JAN 1973

(712,443; 718,065)

(107,357)

JAN 1976

JAN 1977

(858,560)

(107,357)

JAN 1980

JAN 1981

(251,656)

(91,908)

APR 6

(251,656)

JAN 1984

JAN 1985

(251,656)

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JAN 1954 (449,674) JAN 1955 (449,674)

JAN 1958 (449,674) JAN 1959 (449,674)

JAN 1962 (449,674) JAN 1963 (449,674)

JAN 1966 (449,674) JAN 1967 (449,674)

JAN 1970 (449,674) JAN 1971 (449,674)

JAN 1974 (449,674) JAN 1975 (449,674)

JAN 1978 (449,674) JAN 1979 (449,674)

JAN 1982 (449,674) JAN 1983 (449,674)

JAN 1986 (449,674) JAN 1987 (449,674)

MAY 13 (449,674)

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